(32)

Previous references.

File No. 261-07

1908

(Courts)

Serial Nos. 1 & 2

Later references.

Pole 112-16 (164)
CS. 136-28 & 51-2

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1 & 2

Part B. for December 08

SUBJECT.

Payment of fees to expert evidence in Criminal Cases

Table of Contents

Sl. no.

1. To the Registrar, Chief Court, The Dy Cmr. Kolar no. J 1047-49 dt 2-10-08
directs the payment of a special allowance not exceeding Rs 15 according to circumstances to witnesses in criminal courts, not being Govt. Servants who follow any profession such as law or medicine.

2. From The Dy. Cmr. Kolar Dt. no. 3059/120 dt 11-11-08
forwards a copy of a letter from the K.G.F. Mining Board Secy. thanking Govt. for having issued the order

G. R. S. 58

G.R.S. 11]

1907/08 -

GENERAL AND REVENUE SECRETARIAT.

(Cont.)

NOTES.

Ch File No. 261

FILE HEADING.

Payment of fees to Expert Evidence in Criminal Cases.

From

No. Dated Received

Diary No.	Enclos.	Spare Copies.	Serial No.

BRIEF ABSTRACT OF LETTER.

NOTES AND ORDERS.

NOTES—First sheet.

GPB--30,000--20-3-06.

1 Agenda No 261-07

SUBJECT No. 326.

Private medical officers summoned to give evidence in Government prosecutions.

Mr. Charles H. Richards, Kolar Gold Field Mining Board.

Summary of discussion.—States the inconvenience caused by the summoning of the Board's private medical officers to give expert evidence in Government prosecutions; and submits that in such cases when their presence is absolutely necessary, they should receive adequate remuneration for their professional opinion.

Reply of Government.—Noted.

C.S. 14/1/2

1 May this be referred to the Chief Court for opinion?
Submitted for orders
Hes 22-1-08 SW 22/1/08

2 Put up draft please
22·1·08 JWW

CS

3 Submitted with a draft
may the draft issue?
Hes 24-1-08 SW 25-1-08

4 Seen 25·1·08 JWW

Submit Br III ✕Flag M for Please put up bill relating to the issue of Profs no 14226-7 of 6th March 1895. J834 referred to in para 1 of 2nd Govt memorandum.
TM 14/1/08

5 Submitted with the Govt memorandum ✕ on the subject.
TM 14/1/08

6 The papers are herewith put up
Hes 17/1/08 SW 18/1

7 The references are not complete Please put up copies of the circular and the letter referred to in the Registrars letter dated 29th Jan: 1895
2 2 08 JWW

7. J.W

8 Copies of the circular and letter No 609/198 dt 27·6·76 from the Judicial Commissioner to the District magistrate, Bangalore are submitted
Hes 26/2/08 SW 26/2/08

G. R. S. 12]
General and Revenue Secretariat.

File No. 261 of 1907-08

Serial No.

10 The question of remuneration to medical witnesses cited by Criminal Courts to obtain their expert evidence has been dealt with in two cases, (1) of Mr. O'Donnell in 1895 and (2) of Mr. Srinivasa Iyengar in 1899.

RP

RZ

In the case of Mr. O'Donnell, the Chief Court quoted Judicial Comr's Letter no $\frac{609}{198}$ dated 27th June 1876 which provides for the payment of a fee ~~of~~ not exceeding Rs 10 to a medical witness called in the case of inquests in Bangalore City, and recommended the payment of Rs 16 to Mr. O'Donnell as a special case - Govt in their order said that Mr. O'Donnell could not claim any fee as of right but as a special case sanctioned the payment of Rs 5. In the case of Mr Srinivasa Iyengar, the amount which had been paid to him through the Court was ordered to be refunded and credited to Govt Accounts. The present rule is that

RW

NOTE.—Contd sheet.

GPB-50,00017-3-07

Serial No.

CT

such witnesses are not entitled to any remuneration. The opinion of the Chief Court may, it seems, be obtained as to whether any modification of the rule is necessary

Secy) 29.2.08

Please note the refers queries in Am Hons rule

24/3

24/3

Sch 3
The relevant have been flagged

24-3-08

GPB—50,000—17-3-07

G. R. S. 12]
General and Revenue Secretariat.

Ch File No. 261 of 1907-08

Serial No.

W.O. 719

Rec'd 8.8

2 Encl

No: 1498/70

12 Forwarded to the Registrar of the Chief Court with a request for opinion as to whether any change in the present practice is necessary.

2/8/1908 C.B. Balasundaram Ayyar

13 So long as payment of diet money is restricted to witnesses who are poor or who have been put to considerable expense (Criminal Digest p 74) it is not altogether easy to see why Medical Officers should form a special exception. But the cases which actually occur must be very few (there appear to be only 3 precedents up to date) and on a consideration of all the circumstances the Chief Court would recommend the adoption of the following rule

To witnesses, not being Government servants, who follow any profession such as law or medicine, a special allowance not exceeding Rs 15 may be given according to circumstances.

29. Augt 1908. C. Rajagopalachariar Registrar, Chief Court

Ch 31/8/08

14 Submitted for orders

Hez 2/9/08 SW 2/9/08 15 The rule suggested by

NOTE—Contn sheet.

GPB—50.000—17-3-07

Serial No.

the Chief Court may be adopted under Secy) SPM 3/9/08

6 Please put up a draft.

CSB 3/9/08

US 8/9/08 Draft submitted.

Hoz 7.9.08 SW 7/9 Under Secy) SPM 8/9/08

CS submitted to Dewan through

8186 14-9-1908 (82 r

9 [I recollect the question coming up before me on this, but do not see any endorsement in these papers. Can it be that there is another file?] CSB 14/9/08

Vide pointing note (flag Z)

10 If the payments were confined to appearances in trials before Magistrates & higher tribunals, the cases would probably be few and the cost not heavy. But not so if appearances in Police & Inquest proceedings be reckoned and have to be paid for.

11 2 The rate of Rs 75 proposed may well be reduced to Rs 50. Illegible 15 Sept 08

Dewan 16 10 42 18.9.08

12 I would not advise any reduction. The Chief Court figure may be accepted. CSB 19/9/08 SPM 19/9/08 SPM

GPB—50,000—17-3-07

G. R. S. 12]
General and Revenue Secretariat.

File No. 261 of 1907

6

Serial No.

836
22-9-08

23 Draft rules & Order before issue
4-9-08

24 Unless there is any special reason for departing from the precise terms of the rule as recommended by the Chief Court, I would adopt those terms without alteration Sd/ 2 Sept 08

25 The draft follows the wording of the R. of C. suggested by the Chief Court. I am not able to see what the objection is. The office will verify once more & issue
1 Sept

26 I have recast the draft to follow the wording proposed by the Chief Court
27 Issue

USB
1/10/08

To the Registrar Chief Court
" Deputy Commissioner
Kolar for Communication to
the R.A. member.
No 1047-499 8.10.08

Directs the payment of a special allowance not exceeding Rs 15 according to circumstances to witnesses in Criminal Courts

NOTE—Contn sheet.

GPB—50,000—17-3-07

G. R. S. 12]
General and Revenue Secretariat.

G. File No. 261 of 1907-08

Serial No.

not being Govt Servants, who follow any profession such as law or medicine

2 From the Deputy Commissioner Kolar Dcst No 3059 G.R./1908 dt 12.11.08

forwards a copy of a letter from the K.G.F. Mining Board Secretary thanking Govt for having issued the above order

28 Subs. This may be filed after perusal

Ker 13.11.08

29 Submd to Dewan through Councillors for perusal.

13/11/08

CHS 14/11/08

8792 14-11-1908

3/ Secretary to Govt

25.11.08

31 25/11/08

25.11.08

10997 261-07-08

3/ Secy Dewan 29-11-08

File CHS 1/12

18 Rec 24/12/08

To Recorder 24/12/08

NOTE—Contn. sheet.

GPB—50,000—17-3-07

G.R.S. 28]

1 2

Cts File No. 26(-0)
Serial No. 1

Diary No. of letter replied to

Proceedings of the Government of His Highness the Maharaja of Mysore.

J 1047-49 dy 8.10.08

GENERAL AND REVENUE SECRETARIAT.
( )

, the 190

Date of issue 8.10.08

Signed by hm CS Balasundaram
Dy

READ— Subject No 326 of the proceedings of the Representative Assembly of 1907, and the reply of Govt thereto, in the matter of remunerating private Medical Officers summoned to give evidence in Govt prosecutions.

(Print in extenso)

ORDER THEREON.—No.

Order thereon

Govt are pleased to ~~sanction the grant of~~ direct that

over

SUBJECT

GPB—10,000—10-4-06

special
allowance, not exceeding
Rs 15 ~~as a Special Case~~ according to circumstances, may be given

to witnesses not being
Govt Servants, who follow
any profession such as
law or medicine, the
Chief Court is requested to
~~will~~ issue
a rule of Practice accordingly

Submitted
C.B. 14/2/08
for Secretary

To the Registrar Chief Court of Mysore
The Deputy Commissioner
Kolar District for
Communication to
the R. A. member
who mooted the
subject

Copy to the Dasara Section.

5 copies
SLB 6/10
CRD
6/10/08

Hcs 7/10/08 7/10/08

Proceedings of the Government of His Highness the Maharaja of Mysore, Judicial and Legislative (Courts), dated 8th October 1908.

Read

Subject No. 326 of the Proceedings of the Representative Assembly of 1907, and the reply of Government thereto, in the matter of remunerating private Medical Officers summoned to give evidence in Government prosecutions :—

" *Summary of discussion.*—States the inconvenience caused by the summoning of the Board's private medical officers to give expert evidence in Government prosecutions and submits that in such cases when their presence is absolutely necessary, they should receive adequate remuneration for their professional opinion.

Reply of Government.—Noted. "

No. J. 1047-49—CTS. 261-07-1, DATED BANGALORE, 8TH OCTOBER 1908.

ORDER THEREON.—Government are pleased to direct that to witnesses not being Government servants, who follow any profession such as Law or Medicine, a special allowance not exceeding Rs. 15 may be given according to circumstances. The Chief Court is requested to issue a Rule of Practice accordingly.

K. S. CHANDRASEKHARA AIYAR,
Secy. to Govt., Gen. & Rev. Depts.

To—The Registrar, Chief Court of Mysore.
The Comptroller, Mysore Government.
The Deputy Commissioner, Kolar District, for communication to the Representative Assembly Member who mooted the subject.

Exd.—C. P. S.

1908-09

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

JUDICIAL AND LEGISLATIVE
(COURTS)

PROCEEDINGS

Dated 8th October 1908

No. J. 1047-49
Cts. 261-07-1

Directs the grant of a special allowance, not exceeding Rs. 15, to witnesses who are not Government servants, and who follow any profession such as Law or Medicine, when they give evidence in Government prosecution.

GPB—27-10-08—500

From The Deputy Commissioner
Kolar District

To The Secretary to the
Government of Mysore
General and Revenue Dept.

Dated 14th November 1908. Bangalore

Despatched 11-11-08

Received

General No. 3059

No. 120

Enclosure No. one

C/o file No 2607
Sl No 2

Forwarding Copy of the letter received from the Secretary Kolar Gold Fields Mining Board.

3059/120 3

District Magistrate's Court
Kolar District
Dated the 8th November 1908.

11

From C. Srikanteswara Aiyar Esquire B.A.; B.L.
District Magistrate,
Kolar District.

To K.S. Chandrasekhara Aiyar Esquire B.A.,B.L.
Secretary to the Government of Mysore
General and Revenue Departments
Bangalore.

Sir,

I have the honour to forward herewith for information of the Government Copy of the letter received from the Secretary Kolar Gold Fields Mining Board dated 30th October 1908.

I have the honour to be
Sir,
Your most obedient servant.

S. Shamanna
for District Magistrate -
Kolar District

The Kolar Gold Field mining Board,
Oorgaum,
Mysore State,
S. India
30th October 1908.

C. Srikanteswara Aiyar, Esqre, B.A., B.L.
Deputy Commissioner
Kolar District.

Sir,

I duly received your No. C. 102, dated 12th October 1908, stating that Government have been pleased to direct that to witnesses not being Government servants who follow any profession such as Law or Medicine a special allowance not exceeding Rs. 15 may be given according to Circumstances; and on behalf of the Board and the officers of the Mining Companies' Medical Establishment I now have the honour to ask you to be good enough to Convey to Government their best thanks for this Concession.

I have the honour to be
Sir,
Your most obedient servant
(Signed). G. Es. Payne
Secretary

Copy.

S. Shamanna
for Deputy Commissioner Kolar

References

Judicial Commissioner's Circular No.1685-96 dated 17th November 1869.

Rules for regulating payment of expenses to witnesses.

Rules for regulating the payment of the expenses of witnesses required to attend the Courts for the purpose of giving evidence in Criminal cases either at a trial in any Court, or when making enquiry with a view to a trial before the High Court, or Court of Sessions.

The attendance of complainants and witnesses at the Criminal Courts being a public duty, payments should be made only to such as are poor, or to those who have been put to considerable expense in attending the Court. And, as a general rule, no more than four annas will be allowed to each witness for every day's attendance at the Court, or for every day's Journey of ten miles to and from the Court, a fraction of ten miles exceeding two miles being reckoned as ten miles, so that a journey of three miles would be reckoned as one day's journey and a journey of thirteen miles as two day's journey. The contingent bill of the office should be accompanied by a statement showing the name of each complainant or witness to whom an allowance has been made, the number of days, and the amount allowed to him.

Letter No 609/198 d 27.6.1876 from the Judicial Commissioner in Mysore to the District Magistrate of the Bangalore District

---

A case in which an unsatisfactory inquest was held by the Town and Cantonment Police on the body of a European who was killed by a Railway tram running over him, has been recently brought to my notice and with the object of providing in future for proper inquests in the Town and Cantonment of Bangalore, the following instructions are issued for the guidance of the Police and the Magistracy

(1) The officer in charge of the Police Station upon receiving information of the unnatural or sudden death of any person shall immediately communicate the information to the Cantonment Magistrate and to the Sir Amildar and shall himself proceed or to the Amildar of Bangalore according as the death has taken place either in the Cantonment or in the Pettah, and shall himself proceed forthwith to the place where the dead body may be

(2) Upon receiving intimation of

the death, the Sir Ameen ~~or Amoldar~~ & ~~as the case may be~~, in all cases where the person dead is a native or the Cantonment magistrate in all cases where he is a European or a Eurasian, shall immediately proceed to the place where the dead body may be and hold an inquest in the manner prescribed in Sec 135 of the Code of Criminal Procedure. In important cases of natives dying also the Cantonment magistrate must hold the inquest instead of the Sir Ameen as in ordinary cases

~~(2) If the Amoldar should be absent from the station, it shall be the duty of the Sir Ameen to hold inquests in the pettah also.~~ &

(3) The inquest being at this always held by a magistrate, the Police officer present shall aid him in his enquiry and shall not make a separate enquiry under Sec 133 of the said Code the magistrate should take such evidence as may be

necessary and available regarding the cause and manner of death, he should be aided in the enquiry by two or more respectable inhabitants of the neighbourhood and their opinion as to how, when, and by what means, the deceased came by his death, should be recorded by the magistrate and signed by them. The magistrates opinion on the same points also should be recorded. Hello these opinions should be embodied in a report which should be submitted to the District magistrate and contain the following information.

I When, where and before whom (naming the magistrate and the respectable inhabitants of the neighbourhood assisting at the enquiry) the inquest was held

II Who the deceased was

III Where his body lies and its exact position

IV A description of the body

the marks of violence and the clothing and other articles upon it and the nature of the weapons and instruments by which the marks of violence were probably caused

V Where, when and by what means the deceased came by his death, and

VI If his death was occasioned by the Criminal act of another, who is apparently guilty thereof

Every such report shall be in the form appended to these rules as far as circumstances may permit.

(3) Whenever there is any doubt as to the cause of death, the Magistrate must send the body for post mortem examination by a competent medical officer and when necessary, he should cause the contents of the stomach or intestines to be analysed by the Chemical Examiner

In all cases in which the magistrate considers such a course necessary in the ends of justice he may summon a medical officer to attend at the inquest, to view the body, it Condition, its position to make on the spot such examination of the body as may be necessary, and to give his evidence In all such cases the magistrate may award to the medical witness such fees not exceeding Rs 10 as may appear to him to be reasonable

(4) In no case must the magistrate enquire whether any person dying by his own act was or was not felo de se as such an opinion can result only from enquiry into the State of his mind at the time of his death into which subject the magistrate is not required to enter by the law The word "Suicide"

though it strictly applies only to the act of a person killing himself is liable to be misunderstood as applying to a felo de se and should not therefore be used in the Magistrate's Reports made under rule 2

Each of the report should in each case be furnished by the Cantonment Police Magistrate to the proper Military authority, on application, when the deceased was a person under a Military Command.

Sd J. D. Gordon.
Jr. Sl. Commr.

"Copy."
Sd. W. Porteous
Offg Dy. Sl. Commr of Police

"Copy"

Form of report.

Form of Report

A report made on the — day — 187 — before W.H. — class magte of the Town & Cantt of Bangalore on View of the body of A B then & there lying dead and upon enquiry Conducted by the said magte. with the aid of G.H. S.T.L. &c respectable inhabitants of the neighbourhood. I the said magte (concurring or differing from the opinions of the said persons or a majority of them as the case may be) find that the death of the said A.B. was caused, on or about the — day of — 187 — by (here state the Cause of death as in the following Examples

I Cases of homicide. Example

II Cases of accident — do —

III Cases of death caused by the acts of the deceased —— do ——

IV Cases of sudden death by means unknown do

Sd E.A. M
Magistrate
C.H.D.J. Panchayetdars
agreeing with him

(Here state any difference of opinion between the magistrate and any of the persons assisting in the enquiry)

Sd/ K.S.te. Panchayetdars
differing from the
Magts opinion
Sd/ E.A.
Magistrate

Extract"

23

M E M O R A N D U M.

On the 11th September 1894, Dr.J.D.O'Donnell gave evidence in the Special Magistrate's Court, Kolar Gold Fields, regard- the death of one Henry Cripps and afterwards put in a claim for Rs.16/- for giving expert evidence. The correspondence between the District Magistrate of Kolar and the Chief Court was eventually referred to Government, who, in their Proceedings No.14226-7/J.834 dated 6th March 1895, observed that the rules in force did not permit of payment of batta to witnesses in Criminal Cases, unless they are poor or have been put to considerable expense and that Dr.O'Donnell therefore, could not claim the payment as a right, but sanctioned to him an allowance of Rs.5/- as a special case on the recommendation of the then Chief Judge.

This fee Dr.O'Donnell refused to accept and requested that the matter might again be referred to Government. On a reference by the District Magistrate, the Chief Court in their letter No.5349/3429 dated 29th May 1895, repeated the same reply of Government and added that Rs.5/- was the fee allowed to Medical Witnesses in the High Court of Madras.

2. Dr.Stokes might as well have now followed the proceedure of Dr.O'Donnell in 1894 and after giving evidence applied for a fee, but he did not do so. After being duly sworn, he totally refused to answer the question put to him saying that he would answer any question as to fact but would not give his ~~evidence~~ so called expert opinion for nothing. No expert evidence was ever needed nor was he asked any opinion as an expert.

An accident occurred in one of the Mines and the injured person, the accused, was taken to the Mines Hospital, and treated by Dr.Stokes, one of the Mines Doctors. The accused was prosecuted by the Geological Department for his own

carelessness and no one but the Mines Doctor who had treated him was able to depose conclusively what the cause of injuries were due to.

The question was whether the accused had been injured by an air blast or an explosion. Had it been an air blast the wounds on the man would have quite a different appearance from those caused by an explosion. This was the fact in issue and there was no opinion required about it. An explosion leaves marks of burning which, an accident caused by an air blast does not do.

3. The Court at Gold Fields is one of a Special Magistrate, located for the benefit and convenience of the Mining population.

4. The attendance of the Civil Surgeon at the Criminal Courts of the Station for the purpose of giving evidence is one of his ordinary official duties and he is not entitled to claim, nor are the Courts authorised[x] to grant any fee for this duty. The Mines Doctors on the Kolar Gold Fields are, for all intents and purposes, the Medical Officers of the Station and the evidence required from Dr. Stokes, was in a case falling within the ordinary discharge of his duties and as such, he was not entitled[x] to a fee of Rs. 16.

[x] Vide Punjaub Gazette, June 27, 1872, p. 1388. Bk. Cir. p.303.

[x] Vide Government of India, Aug. 11, 1882. Punjaub Bk. Cir. p.303.

5. Every person giving evidence on any subject before a Court authorised to administer oaths and affirmations shall be bound to state the truth on such subject, Indian Oaths Act, Sec. 14.

Dr. Stokes, therefore, having been once sworn, was bound to state the truth as to whether the wounds received were the result of an air blast or an explosion, which fact he knew by reason of his having treated the accused. Section 165

of the Indian Evidence Act enacts " the Judge may in order to discover or to obtain proof of relevant facts ask any question he pleases, in any form, at any time of any witness or of the parties, about any fact relevant or irrelevant."

The object of this Section is that in order to get to the bottom of the matter before it, the Court may be able to look into and enquire into any fact whatever.

Dr. Stokes was legally bound to answer the question put to him by the Court under Section 179 of the Indian Penal Code, as these questions would not entitle him to take refuge under Sections 121 to 131, 148 and 149 of the Indian Evidence Act, it is only in a case falling under any of these Sections that a witness would be entitled to refuse to answer a question.

6. It certainly would not be fair to Government to have to pay large bills to the Mining Doctors who are employed by the Companies who are legally bound to help the ends of justice whenever required in cases of culpable accidents under the Mining Rules.

7. If expert fees were allowed to the Companies Doctors in Criminal Cases of this sort, it is conceivable that the Assay Officers of the Mines, the Electricians, the Metallurgists and other Mining Officials who are almost daily cited as witnesses in Criminal Cases would also be entitled to the same remuneration and the bills would soon amount to a prohibitive sum.

8. Dr. Stokes in this case was treated very leniently. If he had acted as Dr. O'Donnell did in 1894, no exception could have been taken to his procedure, but he deliberately refused to answer the questions and thus retarded the ends of justice. It was highly culpable of him and had he been fined the full amount allowed under Section 480, Criminal Proceedure Code, he would only have received his deserts.

Camp Mysore, 23rd October 1907

District Magistrate,
Kolar District.

To

V.P. Madhava Rao. Esq., C.I.E.,

Dewan of Mysore.

Sir,

I am desired by the Kolar Gold Field Mining Board to convey to you their grateful thanks for affording them another opportunity of sending a representative to this Assembly, and on their behalf I have the honor to submit the following questions for the kind consideration of your Govern ent.

THE MYSORE MINES REGULATION 1906. Whilst recognising the benefits conferred upon the Kolar Gold Mining Industry by the passing of the Mysore Mines Regulation 1906, the Board would strongly urge Government to take immediate steps to extend its provisions to the Kolar Gold Field Railway, which passes through the very heart of the Field, and under existing conditions, affords a sanctuary to thieves. The necessity for this extension has been forcibly borne in upon the Board by the failure of several expensive prosecutions of individuals found in possession of Mine Gold on Railway Premises. The new Act makes it a matter of considerable difficulty for any one to be in possession of stolen Mining property in the prescribed area, and to render the law absolutely effective, it is imperative that the one outlet (viz:- the local Railway) which is still available should come under the scope of the Act.

In view of the recent decision of the Chief Court of Mysore that Copper Wire used on the Gold Field for the transmission of Electrical Power cannot be considered as "Mining Material" within the meaning of the definition given in section 3 (6) of this Regulation, the Board respectfully requests that Government will be pleased to include all Electrical fittings (including Copper Wire) in the definition

26

referred to. Taking into consideration the increasing use of Electrical Power by the Mines and the consequent large stocks of fittings, etc: held by them, the Board is of the opinion that it is of the utmost importance that a notification to this effect should be issued with as little delay as possible.

Another matter which gives very serious concern is the facility with which "Undesirables" are at present able to evade the intention of the section relating to the warning off of unemployed persons of bad character from the Mining Camps. Under existing conditions an "Undesirable" who is warned off any one Mine can move on to another Mine and continue this procedure with impunity. As "Notices to quit" issued by the individual Mining Superintendents are therefore ineffectual in at once clearing "Undesirables" out of the Mining area, I am to request that the Mining Board may be invested with power to issue notices which will be operative throughout the Field.

CONFISCATION OF STOLEN MINE GOLD. The Board is disappointed at the decision which has recently been conveyed to them with regard to the confiscation of stolen Mine Gold, and trust that their further representations on the subject will receive due consideration.

GOVERNMENT HOSPITAL. The Board regrets that the buildings for the accommodation of the Government Hospital Staff, the provision of which you kindly promised on the occasion of the last Dasara, are still incomplete, and that in consequence, the Hospital, the need of which grows greater day by day, remains unavailable to that large section of the community which has no claim upon the Mining Companies' Medical Establishment.

MATERNITY HOSPITAL. Notwithstanding the frequency with which the need of an Institution of this nature has been brought to the notice of Government the Field still remains unprovided for in this respect, and the Board urges that this very important matter be given early consideration.

POLICE ACT. The introduction of this Act, which has been under the consideration of Government for a long time, is anxiously awaited.

CAUVERY POWER RESERVOIR. The Board trusts that their representations, made at the last Dasara, relative to the necessity for a storage Reservoir to provide against emergencies in dry seasons, is still receiving the attention of Government, and that this work will be put in hand in the near future. It may be pointed out that stoppages of the supply of Electrical Power not only cause serious inconvenience to the Mining Companies, but also a certain loss of revenue to the State.

EPIDEMIC DISEASES. The Board much regrets to have to draw your attention to the recent recrudescence of Plague in and around the Field, and to the fact that out of 170 cases which have taken place between April 10th and August 26th of this year no less than 158 have occurred in the villages surrounding the Mines.

The precautions adopted by the Board in combating various epidemics within the crowded area of the Mines have been efficacious, and I am to suggest that the adoption of similar measures on the part of the Government Health and Sanitary Departments would have the effect of minimising infection from outside. The Mining companies expend annually about a lakh of rupees (exclusive of the cost of their Hospital and Medical Staff) in Sanitary and preventive

measures, and this outlay is likely to be of little avail, and the disorganisation of labor which invariably attends an outbreak of epidemic disease, with very serious inconvenience to the industry, will undoubtedly increase unless the Sanitation of the villages in proximity to the Mines is improved.

The Board trusts that the contemplated appointment of a whole time Health Officer and the increase of the Government Sanitary Staff which should result in a material change for the better, will be effected at a very early date.

In the above connection I am requested to draw your attention to the urgent necessity for covering over the Government Water Storage Reservoirs which are at present open to the reception of micro-organisms and consequently liable to disseminate disease.

MEDICAL EXPERT OPINION IN GOVERNMENT MINING PROSECUTIONS. The Board desires to bring to your notice that the Mining Companies' private Medical Officers are from time to time summoned to give evidence in Government prosecutions and to suggest, that on such occasions when their expert opinion is absolutely necessary, they are entitled to adequate remuneration.

ROADS. The Board observes with pleasure that the main Government Road through the Field has been kept in fairly good state of repair during the past year, and the opening of the new Western Extension is very greatly appreciated. The Board trusts that the maintenance of these Roads will continue to receive the necessary attention.

In conclusion we desire to congratulate His Highness the Maharaja and his Government on the very able report which has been prepared and presented by you, sir, to this Assembly. It forcibly proves how very

deeply